

● PRINTER RUSH ●
(PTO ASSISTANCE)

Application : 09/970543 Examiner : Crouch GAU : 1632

From : PAP Location : (IDC) FMF FDC Date : 12/16/05

Tracking # : EPM 09/970543 Week Date : 6/27/05

| DOC CODE | DOC DATE | MISCELLANEOUS |
|--|----------------|--|
| <input type="checkbox"/> 1449 | | <input type="checkbox"/> Continuing Data |
| <input type="checkbox"/> IDS | | <input type="checkbox"/> Foreign Priority |
| <input type="checkbox"/> CLM | | <input type="checkbox"/> Document Legibility |
| <input type="checkbox"/> IIFW | | <input type="checkbox"/> Fees |
| <input type="checkbox"/> SRFW | | <input type="checkbox"/> Other |
| <input type="checkbox"/> DRW | | |
| <input checked="" type="checkbox"/> OATH | <u>2/27/02</u> | |
| <input type="checkbox"/> 312 | | |
| <input type="checkbox"/> SPEC | | |

[RUSH] MESSAGE: Please supply a clearer copy of the Oath/
declaration. Data illegible.

Thank you.

[XRUSH] RESPONSE: See MISC comm

DONE

INITIALS: (Signature)

NOTE: This form will be included as part of the official USPTO record, with the Response document coded as XRUSH.

REV 10/04

400 Garden City Plaza-Ste 300
Garden City, New York 11530
(516) 742-4343 - Telephone
(516) 742-4366 - Facsimile
e.mail: Intprop@ssmp.com

**SCULLY, SCOTT, MURPHY
& PRESSER, P. C.**

Fax

To: Ms. Rori Burch
Publishing Division
Art Unit: 1632
Confirmation No.: 1839

From: Xiaochun Zhu, Ph.D.

Fax: (703) 308-6642

Pages: 2 (including cover sheet)

Phone:

Date: January 13, 2006

Re: Benjamin Reubinoff, et al.
U.S. Patent Appln. No. 09/970,543
Filed: October 4, 2001
Our Docket: 14418Z

CC:

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

Dear Ms. Burch:

Further to our telephone conversation today, we are faxing a legible list of names, addresses and citizenship for the inventors in the above-identified application.

Thank you.

CONFIDENTIALITY: The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above without right or publication or republication, dissemination or disclosure except as expressly set forth or established by course of dealing. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

If you have any problems concerning this facsimile, please call (516) 742-4343 and ask for Anna Baerga.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Applicants:** Benjamin E. Reubinoff, et al.**Examiner:** Deborah Crouch**Serial No.:** 09/970,543**Art Unit:** 1632**Filed:** October 4, 2001**Docket:** 14418Z**For:** EMBRYONIC STEM CELLS
AND NEURAL PROGENITOR
CELLS DERIVED THEREFROM**Confirmation No.:** 1839**Names/Addresses/Citizenship of Inventors****Benjamin Eithan Reubinoff**
16/4 Hazamir Street
Mevaseret Zion, Israel 90805
Citizenship: Israeli**Martin Frederick Pera**
53 Highbury Grove
Prahran Victoria 3181, Australia
Citizenship: U.S.A.**Tamir Ben-Hur**
Shderot Sharet Mosche 9
Ramat Sharet, Jerusalem, Israel 96920
Citizenship: Israeli

400 Garden City Plaza-Site 300
Garden City, New York 11530
(516) 742-4343 - Telephone
(516) 742-4366 - Facsimile
e.mail: intprop@ssmp.com

**SCULLY, SCOTT, MURPHY
& PRESSER, P. C.**

Fax

To: United States Patent & Trademark
Office
Publishing Division
Art Unit: 1632
Confirmation No.: 1839

From: Xiaochun Zhu, Ph.D.

Fax: (703) 308-6642

Pages: 11 (including cover sheet)

Phone:

Date: January 13, 2006

Re: Benjamin Reubinoff, et al.
U.S. Patent Appln. No. 09/970,543
Filed: October 4, 2001
Our Docket: 14418Z

CC:

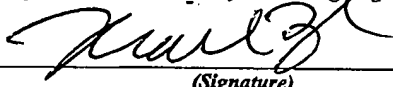
☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

The following is being transmitted (see attached):

1. Submission of Notice to file Corrected Application Papers (in dup)
2. Copy of Notice
3. Legible copy of Declaration and Power of Attorney
4. Certificate of Facsimile

CONFIDENTIALITY: The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above without right or publication or republication, dissemination or disclosure except as expressly set forth or established by course of dealing. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

If you have any problems concerning this facsimile, please call (516) 742-4343 and ask for Anna Baerga.

| | | | |
|--|---------------------------------------|-----------------------------------|-------------------------------|
| CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) | | Docket No. 14418Z | |
| Applicant(s): Benjamin Reubinoff, et al. | | | |
| Application No. 09/970,543 | Filing Date October 4, 2001 | Examiner Deborah Crouch | Group Art Unit 1632 |
| Invention: EMBRYONIC STEM CELLS AND NEURAL PROGENITOR CELLS DERIVED THEREFROM | | | |
| <p>I hereby certify that this <u>Submission to Notice to File Corrected Application Papers</u> <i>(Identify type of correspondence)</i></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(703) 308-6642</u>)</p> <p>on <u>January 13, 2006</u> <i>(Date)</i></p> <div style="text-align: right; margin-top: 100px;"> <u>Xiaochun Zhu</u> <i>(Typed or Printed Name of Person Signing Certificate)</i>  <i>(Signature)</i> </div> | | | |
| <p>Note: Each paper must have its own certificate of mailing.</p> | | | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|--------------------|--|------------------|------------------|
| Applicants: | Benjamin E. Reubinoff, et al. | Examiner: | Deborah Crouch |
| Serial No.: | 09/970,543 | Art Unit: | 1632 |
| Filed: | October 4, 2001 | Docket: | 14418Z |
| For: | EMBRYONIC STEM CELLS AND NEURAL PROGENITOR CELLS DERIVED THEREFROM | Date: | January 13, 2006 |

Confirmation No.: 1839

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

**SUBMISSION OF NOTICE TO FILE
CORRECTED APPLICATION PAPERS**

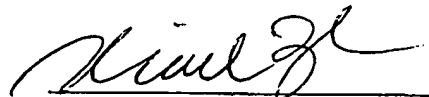
Sir:

In response to the Notice to File Corrected Application Papers Notice of Allowance Mailed, Applicants are enclosing a legible copy of the Declaration and Power of Attorney. A copy of the Notice to File Corrected Application Papers dated January 4, 2006, is enclosed as required.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Dated: January 13, 2006


Xiaochun Zhu

Any additional charges required in connection with this submission may be charged to
Deposit Account No. 19-1013/SSMP. A duplicate sheet of this sheet is enclosed.

Respectfully submitted,



Xiaochun Zhu
Registration No. 56,311

SCULLY, SCOTT, MURPHY & PRESSER, P. C.
400 Garden City Plaza-STE 300
Garden City, New York 11530
(516) 742-4343

XZ:ab

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|--------------------|--|------------------|------------------|
| Applicants: | Benjamin E. Reubinoff, et al. | Examiner: | Deborah Crouch |
| Serial No.: | 09/970,543 | Art Unit: | 1632 |
| Filed: | October 4, 2001 | Docket: | 14418Z |
| For: | EMBRYONIC STEM CELLS AND NEURAL PROGENITOR CELLS DERIVED THEREFROM | Date: | January 13, 2006 |

Confirmation No.: 1839

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

**SUBMISSION OF NOTICE TO FILE
CORRECTED APPLICATION PAPERS**

Sir:

In response to the Notice to File Corrected Application Papers Notice of Allowance Mailed, Applicants are enclosing a legible copy of the Declaration and Power of Attorney. A copy of the Notice to File Corrected Application Papers dated January 4, 2006, is enclosed as required.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Dated: January 13, 2006


Xiaochun Zhu

Any additional charges required in connection with this submission may be charged to
Deposit Account No. 19-1013/SSMP. A duplicate sheet of this sheet is enclosed.

Respectfully submitted,



Xiaochun Zhu
Registration No. 56,311

SCULLY, SCOTT, MURPHY & PRESSER, P. C.
400 Garden City Plaza-STE 300
Garden City, New York 11530
(516) 742-4343

XZ:ab

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Serial Number
09970543

Date Mailed
1/04/06

NOTICE TO FILE CORRECTED APPLICATION PAPERS***Notice of Allowance Mailed***

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 30 days from the mail date of this Notice within which to correct the informalities indicated below. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136 (a) or (b).

- ♦ The oath/declaration is illegible. Fax missing information to number below or e-mail.
 - o For status updates visit <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR System, contact the Electronic Business Center (EBC) toll free at 866-217-9197.

APPLICANT MUST SUPPLY MISSING INFORMATION WITHIN 30 DAYS OF THE MAIL DATE OF THIS NOTICE.

A copy of this notice **MUST** be returned with the reply. Please address response to Commissioner for Patents P.O. Box 1450
Alexandria, VA 22313-1450



Rori Burch
USPTO

Publishing Division
Rori.burch@uspto.gov
Fax (571) 273-9009
Fax (703) 308-6642
703-305-0333 ext.135 (V)

5167424366

P.03

Page 1 of 4

Docket No.
144182

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled
EMBRYONIC STEM CELLS AND NEURAL PROGENITOR CELLS DERIVED THEREFROM

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on October 4, 2001 as United States Application No. or PCT International Application Number 09/970,543 and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

| | | | |
|---------------|------------------|------------------------|--------------------------|
| <u>PQ6211</u> | <u>Australia</u> | <u>14/March/2000</u> | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | |
| <u>PR1279</u> | <u>Australia</u> | <u>11/June/2000</u> | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | |
| <u>PR2920</u> | <u>Australia</u> | <u>2/June/2001</u> | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | |

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

09/908,382

March 14, 2001

Pending

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Richard L. Catania, Reg. No. 32,608;

Mark J. Cohen, Reg. No. 32,211;

Frank S. DiGiglio, Reg. No. 31,346;

Paul J. Esatto, Jr., Reg. No. 30,749;

Edward W. Grolz, Reg. No. 33,705;

Kenneth L. Kling, Reg. No. 24,223;

Leopold Presser, Reg. No. 19,827;

William C. Roch, Reg. No. 24,972;

John S. Semany, Reg. No. 28,757;

Send Correspondence to:

SCULLY, SCOTT, MURPHY & PRESSER

400 Garden City Plaza

Garden City, New York 11530

Direct Telephone Calls to: (name and telephone number)

Edward W. Grolz (516) 742-4343

| | |
|-------------------------------------|--|
| Full name of sole or first inventor | Benjamin Eithan Benbunoff |
| Sole or first inventor's signature | Benjamin Benbunoff |
| Date | 31.1.02 |
| Residence | 26 Oswald Street, Elsternwick Victoria 3185, Australia |
| Citizenship | Israeli |
| Post Office Address | same as above |
| Residence | 16/4 HAZAMIA STREET, |
| Citizenship | MEVASERET ZION, ISRAEL 90805 |
| Post Office Address | same as above |

| | |
|--------------------------------------|---|
| Full name of second inventor, if any | Martin Frederick Pera |
| Second inventor's signature | MFP |
| Date | 8.1.02 |
| Residence | 53 Highbury Grove, Prahran Victoria 3181, Australia |
| Citizenship | U.S. |
| Post Office Address | same as above |

JAN-04-2002 16:00

SCULLY SCOTT

5167424366

P.05

Page 4 of 4

| | |
|--|-------------------------|
| Full name of third inventor, if any Tamir Ben-Hur | |
| Third inventor's signature <i>T. Ben-Hur</i> | Date 3/2/2002 |
| Residence Shderot Sharei Mosche 9, Ramat Sharei, Jerusalem, Israel 96920 | |
| Citizenship Israeli | |
| Post Office Address same as above | |
| | |

| | |
|--------------------------------------|------|
| Full name of fourth inventor, if any | |
| Fourth inventor's signature | Date |
| Residence | |
| Citizenship | |
| Post Office Address | |
| | |

| | |
|-------------------------------------|------|
| Full name of fifth inventor, if any | |
| Fifth inventor's signature | Date |
| Residence | |
| Citizenship | |
| Post Office Address | |
| | |

| | |
|-------------------------------------|------|
| Full name of sixth inventor, if any | |
| Sixth inventor's signature | Date |
| Residence | |
| Citizenship | |
| Post Office Address | |
| | |